

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 3972-01
Bill No.: HB 1690
Subject: Environmental Protection
Type: Original
Date: February 20, 2002

FISCAL SUMMARY

ESTIMATED NET EFFECT ON STATE FUNDS			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
Total Estimated Net Effect on <u>All</u> State Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
Local Government	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 4 pages.

FISCAL ANALYSIS

ASSUMPTION

Officials of the **State Courts Administrator** and the **Department of Health and Senior Services** stated that the proposal would not have fiscal impact on their agencies.

Officials of the **Secretary of State (SOS)** stated that this proposal would streamline the process and oversight of cleanups of hazardous waste sites and encourage voluntary cleanup sites, allow the Hazardous Waste Commission to adopt rules (previously in the Clean Water Commission rules), and make properties eligible for petroleum storage tank insurance fund benefits ineligible for Brownfield Redevelopment program incentives unless the owner waives insurance fund benefits. Based on experience with other divisions, the rules, regulations and forms issued by the Department of Natural Resources could require as many as 28 pages in the *Code of State Regulations*. For any given rule, roughly half again as many pages are published in *Missouri Register* as in the *Code* because cost estimates and fiscal notes are not repeated in the *Code*. The estimated cost of a page in the *Missouri Register* is \$23. The estimated cost of a page in the *Code of State Regulations* is \$27. The estimated cost of publication in FY 2003 for this proposal is \$1,722. Actual cost could be more or less and costs in future years would depend upon frequency and length of rules filed, amended, rescinded or withdrawn.

This proposal alone would not require the Secretary of State to hire additional personnel; however, the cumulative effect of several bills requiring rulemaking activity could require additional resources.

Oversight assumes the SOS could absorb the costs of printing and distributing regulations related to this proposal. If multiple bills pass which require the printing and distribution of regulations at substantial costs, the SOS could request funding through the appropriation process. Any decisions to raise fees to defray costs would likely be made in subsequent fiscal years.

Officials of the **Department of Natural Resources** stated that, in the long run, allowing Voluntary Cleanup Program (VCP) site owners to waive Petroleum Storage Tank Insurance Fund (PSTIF) benefits might encourage more cleanups and, consequently, more economic development of brownfield sites.

Oversight notes that the proposal could affect the number of requests for “brownfield” program loans, grants and tax credits. (Officials of the **Department of Economic Development** have not yet responded to this proposal.)

<u>FISCAL IMPACT - State Government</u>	FY 2003 (10 Mo.)	FY 2004	FY 2005
	\$0	\$0	\$0
<u>FISCAL IMPACT - Local Government</u>	FY 2003 (10 Mo.)	FY 2004	FY 2005
	\$0	\$0	\$0

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

DESCRIPTION

This proposal would transfers authority to regulate petroleum storage tanks from the Clean Water Commission to the Hazardous Waste Management Commission.

Owners of property eligible for benefits from the Petroleum Storage Tank Insurance Fund would not receive incentives under the state Brownfield Redevelopment Program unless they waived Fund benefits.

The Department of Natural Resources would be allowed to conduct inspections of voluntary clean-up plan (remediated) sites if there were suspected violations of required pollution control plans.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space. This legislation would not affect Total State Revenue.

SOURCES OF INFORMATION

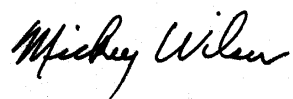
Department of Health and Senior Services

Department of Natural Resources

Secretary of State

State Courts Administrator

Not Responding - Department of Economic Development

A handwritten signature in black ink that reads "Mickey Wilson". The signature is written in a cursive, flowing style.

Mickey Wilson, CPA
Acting Director
February 20, 2002